WARRANT

FOR

SPECIAL TOWN MEETING

Wednesday, November 17, 1999

at the
Wayland High School Field House
7:45PM

ADJOURNED MEETINGS

It is anticipated that if adjourned meetings are necessary to complete action on these warrants, they will be held on the following dates, subject to Town Meeting approval:

November 18 - Thursday

November 22 - Monday

November 24 - Wednesday

and thereafter, as may be necessary, on Mondays, Wednesdays and Thursdays as Town meeting directs. Voters are reminded that there is no smoking permitted on school grounds.

If you have any questions about the Articles, please attend the **Warrant Hearing Monday, November 15, 1999 at 8:00 P.M.** at the Town Building. You may also call the Executive Secretary's office at 358-7755 before Town Meeting time.

NOTICE REGARDING MOTIONS

This warrant for Wayland Town Meeting is issued by the Board of Selectmen and is served upon all residents by mail and by posting at the Town Building, the Wayland Public Library, the Cochituate Fire Station or the Cochituate Post Office, and at the Happy Hollow School. It contains the agenda of subjects to be acted upon, *i.e.*, the articles.

By State law, no action at the town meeting is valid unless the subject matter is contained in the warrant. This requirement means only that the subjects to be acted upon must be sufficiently stated in the warrant to apprise voters of the nature of the matters with which the meeting is authorized to deal. It does not require that the warrant contain an accurate forecast of the precise action that the meeting will take upon those subjects. A valid motion at town meeting may differ from the underlying article, but it must be within the scope of that article.

If you are in doubt about the action town meeting might take under an article, you should plan to attend the town meeting in person.

SPECIAL TOWN MEETING II

NOVEMBER 17, 1999

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COMMONWEALTH OF MASSACHUSETTS

WARRANT

of the

SPECIAL TOWN MEETING II OF 1999

Town of Wayland in the County of Middlesex

To any of the Constables of the Town of Wayland, Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify all residents of the Town of Wayland who shall be qualified to vote in accord with the provisions of General Laws Chapter 51, Section 1, to meet in the Wayland High School Field House on

WEDNESDAY, NOVEMBER 17, 1999 AT 7:45 P.M.

to act on the following Articles:

ARTICLE *1*: HEAR REPORTS

Proposed by: *Board of Selectmen*

To determine whether the Town will vote to receive and act upon reports of Town officers, agents, trustees, commissioners, boards and committees.

FINANCE COMMITTEE COMMENTS: This is a standard article that allows reports commissioned by the Town to be heard.

ARGUMENTS IN FAVOR: Reports requested by the Town should be heard.

ARGUMENTS OPPOSED: The Finance Committee is not aware of any.

RECOMMENDATION: The Finance Committee recommends approval. Vote: Unanimous.

QUANTUM OF VOTE: Majority.

ARTICLE *2*: AMEND PERSONNEL BY-LAWS

Proposed by: *Personnel Board*

To determine whether the Town will vote to amend the Code of the Town of Wayland, Chapter 43, PERSONNEL, and the Personnel Wage and Salary Classification Plan previously adopted by the Town by making the following additions, deletions, modifications thereto, and by establishing effective dates for such amendments.

Chapter 43 – PERSONNEL

(Note: New language is underlined, deleted language is [*italic and bracketed*]. Only articles that have been amended are included.

§ 43-19. Equal Employment opportunity.

The Town of Wayland is an equal opportunity employer. This means that it pledges that all candidates for positions and all officials and employees of the town's agencies will be treated equally in all actions affecting them. It also means that the town has a policy of nondiscrimination which guarantees that all applicants for employment and all employees are not to be discriminated against because of race, color, age, sex, religion, national origin, sexual orientation, veteran status, political affiliation, or handicap.

FINANCE COMMITTEE COMMENTS: This article makes changes in the Personnel By-Law of the Code of the Town of Wayland and the Wage and Salary Classification Plan. The proposed by-law modifies the Equal Employment Opportunity section to the Code by adding two protected classes which were not included in the current by-law. Such change will bring the by-law into compliance with Massachusetts law. The changes to the Wage and Salary Classification Plan incorporate the upcoming year's wage and salary schedule for negotiated settlements with the AFSCME and NAGE unions which have been negotiated since the 1999 Annual Town Meeting.

ARGUMENTS IN FAVOR: The proposed by-law amendments make necessary changes to existing language to comply with Massachusetts Law. The Wage and Salary Classification Plan allows for systematic increases based on employee evaluations and longevity and provide for reasonable growth with regard to the current economic conditions. The changes to the union salary schedules represent negotiated settlements.

ARGUMENTS OPPOSED: The Finance Committee is not aware of any.

RECOMMENDATION: The Finance Committee recommends approval. Vote: Unanimous.

QUANTUM OF VOTE: Majority – see Massachusetts General Laws Chapter 41, Section 108A.

CONSISTENCY WITH LAW: It is the opinion of Town Counsel that the foregoing proposed by-law amendment is consistent with Massachusetts and federal law.

ARTICLE 3: AMEND ZONING BY-LAWS RE: WIRELESS COMMUNICATIONS SERVICES DISTRICT

Proposed by: *Planning Board*

To determine whether the Town will vote to amend Chapter 198, Zoning, of the Code of the Town of Wayland by:

1.) adding the following provisions to Article 15, Wireless Communications Services District, §198-1502.1 and §198-1503.2.4, respectively (underlining denotes added text):

198-1502. Location

1502.1. The Wireless Communications Services District shall be located on land owned by the Town of Wayland known as the old landfill site (as shown in the Atlas of the Town of Wayland, Massachusetts, 1996, on Plates 22 and 23, Parcels 22-001 and 22-002), and known as the new landfill site (as shown in the Atlas of the Town of Wayland, Massachusetts, 1996, on Plates 17, 21, and 22 inclusive, Parcels 17-018, 21-010A, 21-012A, 21-012B, 21-012C, 21-012D, 21-012E, 21-012F, 21-012G, 22-003, 22-004, 22-006, and 22-007); and on the land comprising the portion of the so-called Massachusetts Bay Transit Authority (MBTA) right-of-way from its boundary with the southerly sideline of Boston Post Road (Route 20) westerly to its western-most boundary with the Town of Sudbury (as shown in the Atlas of the Town of Wayland, Massachusetts, 1996, on Plates 22, 26, and 27, inclusive and as shown on the plan entitled "Town of Wayland Wireless Communications Services District Special Town Meeting – November 17, 1999", dated September 16, 1999, prepared by the Town of Wayland Survey Department, a copy of which plan is on file in the Office of the Town Clerk).; and

198-1503. Use Restrictions

1503.2.4. Any wireless communications facility erected in the portion of the Wireless Communications Services District comprising the portion of so-called MBTA right-of-way located between its western-most boundary with the Town of Sudbury and its boundary with the southerly

sideline of Route 20 shall be mounted on and attached to one of the Boston Edison Company (BECO) electric transmission towers located therein numbered 94 through 102, inclusive, except for structures which are accessory to such wireless communications facilities. Except for the BECO towers, the highest point of any antenna support structure, or of any antenna or any component thereof, or attachment thereto, shall not exceed 10 feet above the lesser of the pre-existing significant tree canopy elevation, as defined in §198-1503.2.4.2. below.;

2.) Adding the following provision to Article 3, Establishment of Districts, §198-302. Overlay Districts:

302.1.8. A Wireless Communications Services District that includes the land owned by the Town of Wayland known as the old landfill site (as shown in the Atlas of the Town of Wayland, Massachusetts, 1996, on Plates 22 and 23, Parcels 22-001 and 22-002), and known as the new landfill site (as shown in the Atlas of the Town of Wayland, Massachusetts, 1996, on Plates 17, 21, and 22 inclusive, Parcels 17-018, 21-010A, 21-012A, 21-012B, 21-012C, 21-012D, 21-012E, 21-012F, 21-012G, 22-003, 22-004, 22-006, and 22-007); and the land comprising the portion of the so-called Massachusetts Bay Transit Authority (MBTA) right-of-way from its boundary with the southerly sideline of Boston Post Road (Route 20) westerly to its western-most boundary with the Town of Sudbury (as shown in the Atlas of the Town of Wayland, Massachusetts, 1996, on Plates 22, 26, and 27 inclusive and as shown on the plan entitled "Town of Wayland Wireless Communications Services District Special Town Meeting – November 17, 1999", dated September 16, 1999, prepared by the Town of Wayland Survey Department, a copy of which plan is on file in the Office of the Town Clerk).; and

3.) by amending the Zoning Map referenced in Article 3, Establishment of Districts, §198-301.2, by adding thereto and showing thereon said Wireless Communications Services District.

FINANCE COMMITTEE COMMENTS: At the 1999 Annual Town Meeting the Town approved the Wireless Communications article which dealt with the placement of wireless towers. The Massachusetts Attorney General approved most of the article but disapproved the description of sites as being ambiguous. The proposed article adds the necessary text to be specific as to the sites permitted for wireless towers and to comply with the Attorney General's request.

ARGUMENTS IN FAVOR: The amendment provides the clarifying language to specifically identify the sites approved for wireless towers and allows the Wireless Article to be fully approved by the Attorney General.

ARGUMENTS OPPOSED: The Finance Committee is not aware of any.

RECOMMENDATION: The Finance Committee recommends approval. Vote: Unanimous.

QUANTUM OF VOTE: Two-thirds – see Massachusetts General Laws Chapter 40A, Section 5.

CONSISTENCY WITH LAW: It is the opinion of Town Counsel that the foregoing proposed zoning by-law amendment is consistent with Massachusetts and federal law.

ARTICLE 4: AMEND ARTICLE 22 OF THE ZONING BY-LAWS – COCHITUATE INTERIM PLANNING OVERLAY DISTRICT

Proposed by: *Planning Board*

To determine whether the Town will vote to amend Chapter 198, Zoning, of the Code of the Town of Wayland, by making the deletions (indicated in ~~strikethrough lettering~~) and insertions (indicated in underlined lettering) indicated in the following paragraph:

ARTICLE 22
Cochituate Interim Planning Overlay District
[Added April 30, 1997 Special Town Meeting by Article 7]

§198-2207. Time Limitation

2207.1. The provisions of this Article 22 shall expire on ~~January 1, 2000~~ June 1, 2001; provided, however, that by vote of the Town Meeting before said date, the provisions of this Article 22 may be extended for an additional three years to continue municipal comprehensive planning studies necessary to promote orderly growth in the CIPOD. In the event that such action is taken by Town Meeting prior to ~~January 1, 2000~~ June 1, 2001, these provisions shall not be construed to have lapsed on such date.

FINANCE COMMITTEE COMMENTS: The Cochituate Interim Planning Overlay District (CIPOD) was created by Article 7 of the April 1997 Special Town Meeting. When enacted, it was anticipated that this temporary planning district would be replaced by a permanent planning or zoning district. However, plans for the permanent district have not been completed. Thus, it is the intent of this article to extend the effective period of the temporary district by 17 months.

PLANNING BOARD COMMENTS: Should this Article 22 fail to be extended, Cochituate Village will be without protection and prone to haphazard development. The subject extension will provide the time frame required to prepare and have adopted a more permanent Overlay District.

ARGUMENTS IN FAVOR: The development restrictions now in effect will soon expire, leaving Cochituate Village without protection and prone to haphazard development. This article would extend the time to complete the IPOD study, propose the new district's regulations, and have them adopted.

ARGUMENTS OPPOSED: Owners of property in this area have been affected by these temporary restrictions for three years and feel that it is time to terminate the restrictions.

RECOMMENDATION: The Finance Committee recommends approval. Vote: 4 in favor; 1 against.

QUANTUM OF VOTE: Two-thirds – see Massachusetts General Laws Chapter 40A, Section 5.

CONSISTENCY WITH LAW: It is the opinion of Town Counsel that the foregoing proposed zoning by-law amendment is consistent with Massachusetts and federal law.

ARTICLE 5: AMEND ZONING BY-LAWS RE: PUBLIC SAFETY BUILDINGS

Proposed by: *Board of Selectmen*

To determine whether the Town will vote to amend Chapter 198 of the Code of the Town of Wayland (Zoning By-Laws) by: (1) adding to Article 17 thereof relative to Floodplain, Federal Flood Protection and Watershed Protection Districts the following new paragraphs (underlining denotes added text):

1701.7 Land, buildings and structures used for municipal police and/or municipal fire purposes are exempt from the provisions of this §198-1701.;

1702.3 Land, buildings and structures used for municipal police and/or municipal fire purposes are exempt from the provisions of this §198-1702.; and

1703.9 Land, buildings and structures used for municipal police and/or municipal fire purposes are exempt from the provisions of this §198-1703.; and

(2) by adding to Article 7, Section 198-701.1.1. thereof the following new exemptions and limitations:

701.1.1. The limit of height of all buildings in Single Residence Districts shall comply with 198-801 Table of Dimensional Requirements, except that schools, municipal police stations, municipal fire stations, and, on lots of five acres and over, dwellings may be three stories high, but shall not exceed the maximum allowed heights for buildings and structures set forth in 198-801 Table of Dimensional Requirements, except for municipal police stations and municipal fire stations, which shall not exceed forty feet in height.

FINANCE COMMITTEE COMMENTS: At the 1998 annual town meeting, the town appropriated $5.7 million for the design and construction of a new public safety building. The site for the new building will be that of the current police, fire, and joint communications station at the intersection of Boston Post Road (Route 20), Cochituate Road (Routes 27/126), and Millbrook Road.

Earlier this year, after receiving public input and ordering a reworking of a previous design, the Board of Selectmen approved a final design for the new building. The Board of Selectmen applied for and received approvals from the Conservation Commission and the Historic District Commission. The Board of Selectmen also received necessary approvals from the Zoning Board of Appeals, which (1) granted a height variance, (2) issued two Special Permits relating to the Floodplain and Watershed Protection Districts, and (3) approved the overall site plan.

The height variance was necessary because portions of the new design were ruled to exceed by 5 feet and one-half story the Town of Wayland Zoning By-laws height allowance of 35 feet and two-and-a-half stories. The two Special Permits were required because a portion of the stormwater management system will be located within the Floodplain and Watershed Protection Districts. Site plan review was required because the proposed municipal site is located within a residential district. Given the Town's decision to locate the new building on the current centrally located site for reasons of public safety, the Special Permits and overall site plan approval would have been necessary regardless of the building design.

This article proposes to change the Zoning By-laws which allow the Town to regulate development and construction to protect "...the health, safety, convenience, morals and welfare of the inhabitants of the Town of Wayland...." The four specific changes, applicable only to public safety buildings, would bring the new building design into compliance with the Zoning By-laws.

A lawsuit filed on behalf of a Wayland couple against the Town alleges that the Zoning Board of Appeals improperly granted exceptions to the Zoning By-laws. A contention of this lawsuit is that property values of neighbors to the new public safety building will be adversely affected should the building be constructed as currently designed. This lawsuit halts the project indefinitely until a resolution is reached. If this article is approved, thereby changing the Zoning By-laws, the lawsuit may be rendered moot.

Although any number of outcomes might result, four scenarios serve to illustrate possible implications of passing or rejecting this article. Note that all time and cost estimates are preliminary estimates only. Also, not that the project may already require an additional capital appropriation given the current new design and the delays incurred to date.

Scenario 1	Scenario 2	Scenario 3	Scenario 4
Article is approved	Article is rejected	Article is rejected	Article is rejected
Lawsuit is dropped	Lawsuit is settled	Lawsuit is pursued: ~$50,000 in legal costs	Lawsuit is pursued: ~$50,000 in legal costs
		Repairs are made to existing building: ~$50,000	Repairs are made to existing building: ~$50,000
		Project is delayed indefinitely at cost of ~$100,000 in construction inflation for every six months	Project is delayed indefinitely at cost of ~$100,000 in construction inflation for every six months
		Lawsuit is won	Lawsuit is lost
	Building requires redesign: ~$100,000 in architectural fees		Building requires redesign: ~$100,000 in architectural fees
Project continues without delay	Project is restarted once redesign is complete	Project is restarted once lawsuit is complete	Project is restarted once lawsuit and redesign are complete
Additional cost: $0	**Additional cost:** ~$200,000 assuming 6 month delay	**Additional cost:** ~$300,000 assuming 12 month delay	**Additional cost:** ~$600,000 assuming 24 month delay

ARGUMENTS IN FAVOR: While the new public safety building would be larger than the current one, it will meet the needs of the Town for the foreseeable future. The building's appearance will be greatly improved and it should not cause harm to property values of those who live nearby. To achieve equal functionality, lowering the height of the new building might require a larger footprint, which is not desirable. Approval of this article will significantly strengthen the Town's position with respect to the lawsuit. Approval should also allow construction to begin much more quickly, thereby minimizing any increased costs due to additional delays. Police, fire, and communications employees who are currently working in a substandard building deserve a workplace free from building code and safety violations. This article is an efficient and effective way to get the project back on track.

ARGUMENTS OPPOSED: If this article is approved, the changes to the Zoning By-laws would apply not only to the new public safety building currently under consideration, but also to all such buildings now or in the future. Changing the Zoning By-laws when a lawsuit is pending, although not illegal, sets a dangerous precedent. Allegations made by the plaintiffs in the lawsuit include the following: that property values for neighbors may decline if the new public safety building is constructed with the appearance and size called for by the planned design; that the new public safety building was knowingly designed to be nonconforming with respect to the Zoning By-laws; that a better course of action would be an alternative design that uses below-grade space to allow the height to be reduced without adding footprint or giving up functionality; that the design decision not to use more below-grade space may have

been based on an incorrect reading of the Zoning By-laws; and that if this misreading proves to be the case, the architect might be obligated to redesign at no additional cost.

RECOMMENDATION: The Finance Committee recommends approval. Vote: Unanimous.

QUANTUM OF VOTE: Two-thirds – see Massachusetts General Laws Chapter 40A, Section 5.

CONSISTENCY WITH LAW: It is the opinion of Town Counsel that the foregoing proposed zoning by-law amendment is consistent with Massachusetts and federal law.

ARTICLE 6: AMEND CHAPTER 190 WATER, ARTICLE I RESTRICTIONS ON USE, SECTION 190-9

Proposed by: *Board of Water Commissioners*

To determine whether the Town will vote to amend Chapter 190, Section 190-9 of the Code of the Town of Wayland by adding thereto the following:

§190-6.1. Exemptions.

After a declaration of a state of water supply conservation, the Town, through its Board of Water Commissioners, may fully or partially exempt certain water users from the restrictions imposed. Exemptions shall only be granted after a determination by a majority vote of the Board of Water Commissioners that the following conditions exist:

a) that the water restriction imposes a hardship, financial or otherwise, on the water user seeking an exemption which is more severe than the hardship imposed upon water customers in general; and

b) the exemption may be granted without a substantial detriment to the water system.

Delete Section 190-9 below:

§190-9. Violations and penalties

Any person violating this article shall be subject to a fine in the amount of $100 for the first violation and $100 for each subsequent violation. Fines shall be recovered by indictment or on complaint before the District Court or by non-criminal disposition in accordance with Massachusetts General Laws Chapter 40, Section 21D. The enforcing person shall be the Water Superintendent or his/her designee. Each day of violation shall constitute a separate offense.

Replace it with:

§190-9. Violations and penalties

Any person violating this article shall be subject to the following:

First Offense: Written reprimand by Water Superintendent or the Board of Water Commissioners. Written reprimand shall include a copy of this article, Chapter 190.

Second Offense: A fine in the amount of $100.00 and written notification by certified and regular mail that an additional violation may result in a termination of water service and a charge to reconnect water service as set forth below. Actual proof of receipt of this notice is not required.

Third and Each Subsequent Offense: Notice of termination of water services in no less than seven days shall be served upon the water customer by a duly appointed constable for the Town of Wayland. The notice shall be served to the water customer in hand or left at the address given for billing purposes and mailed to that address. Notice shall include a statement that the water customer may appeal a decision to terminate water services by requesting a hearing before the Board of Water Commissioners. Water service may be terminated seven days after receipt of the notice to terminate or after a majority vote of the Board of Water Commissioners if the water customer has requested a hearing. Receipt of the notice shall be presumed to be three days after the notice is mailed or the day of in hand service. After water service has been terminated, a reconnection fee of $275 during normal business hours, or reconnection fee of $275 plus overtime fee of $200 after normal working hours will be charged prior to renewing water service. Payment of the above must be made before reconnection. In lieu of terminating water services, the Board of Water Commissioners by a majority vote may assess a fine in the amount of $200.00 for the third offense and each subsequent offense.

Fines shall be recovered by indictment or on complaint before the District Court or by non-criminal disposition in accordance with Massachusetts General Laws Chapter 40, Section 21D. After favorable disposition to the Town of Wayland, any outstanding unpaid fines shall be placed on the water customer's water bill. The enforcing person shall be the Water Superintendent or his/her designee. Each day of violation during the same calendar year shall constitute a separate offense.

FINANCE COMMITTEE COMMENTS: During the past summer's drought, the Board of Water Commissioners declared a mandatory water ban. However, the Water Commissioners believe that the current by-laws Do not allow them to deal with any hardships to property owners caused by the ban, and secondly, that the violations and penalties of the current by-law are inadequate to enforce the ban against recurring violators. The proposed changes: 1) allow for exemptions to any water ban for any hardship case after a hearing with the Water Commissioners; and 2) provides for escalating penalties after repeated violations, including termination of water service. The current by-law provides for a $100 penalty for each violation with no termination of service for excessive and recurring violators.

ARGUMENTS IN FAVOR: The current by-law does not provide for any exemption to any water ban and during this past summer's ban, no resident or other establishment was provided an exemption, regardless of the hardship the ban created. Through the proposed change, the Water Commissioners are making a genuine attempt to provide, through a formal process, for exemptions to any water ban if such ban creates an economic hardship. Also, the proposed change provides for accelerating penalties for each successive infraction, including termination of water service, which should guarantee enforcement against successive and recurring violators.

ARGUMENTS OPPOSED: The exemption process might be deemed as too arbitrary and there are no formal guidelines established as to what qualifies for exemption. Also, the enforcement of accelerating penalties and termination of water service might be viewed as excessive. In addition, the procedures allow for termination of water service even if a property owner is on an extended absence, such as vacation, and is not aware of the accumulating violations and notice of termination.

RECOMMENDATION: The Finance Committee recommends approval. Vote: 4 in favor, 1 against.

QUANTUM OF VOTE: Majority – see Massachusetts General Laws Chapter 40, Section 21.

CONSISTENCY WITH LAW: It is the opinion of Town Counsel that the foregoing proposed by-law amendment is consistent with Massachusetts and federal law.

ARTICLE 7: SELL LAND ON STONEBRIDGE ROAD

Proposed by: *Board of Selectmen/Conservation Commission*

To determine whether the Town will vote to (a) instruct the Conservation Commission, with the approval of Town Counsel as to form, to transfer the care, custody, management and control of the parcels of land bordering on the south side of Stonebridge Road and containing in the aggregate approximately 0.43 acres, together with all of the Town's right, title and interest in and to the portion of the way known as River Terrace abutting said parcels of land, and described in a deed from Edward John Connolly dated October 4, 1976 and recorded with the Middlesex South Registry of Deeds in Book 13071, Page 239, to the Board of Selectmen for the purpose of conveying and selling said parcels of land to the United States Department of the Interior Fish and Wildlife Service; and (b) authorize the Board of Selectmen, with the approval of Town Counsel as to form, to convey and sell said parcels of land to the United States Department of the Interior Fish and Wildlife Service; and (c) authorize the Conservation Commission, through the Town's representatives in the General Court of the Commonwealth of Massachusetts, to petition the General Court of the Commonwealth of Massachusetts to enact a special act pursuant to Article XCVII of the Articles of Amendment to the Massachusetts Constitution to authorize the disposition of said parcels of land.

FINANCE COMMITTEE COMMENTS: The United States Fish and Wildlife Services wishes to acquire this 0.43 acre parcel from the Town in an effort to close the Great Meadows National Wildlife Refuge's boundaries. The parcels slope steeply at road frontage with a drop of approximately 7 feet; the remainder of the lots is heavily wooded. The property lies in the 100-year floodplain with standing water observed. The sale of these properties to the USF&WS will permanently protect these wildlife habitats for migratory wildlife.

ARGUMENTS IN FAVOR: The current property is unbuildable and the sale of this property will help the Refuge to close its boundaries. Sale of this property will generate $2,150 for the Town.

ARGUMENTS OPPOSED: The Finance Committee is not aware of any.

RECOMMENDATION: The Finance Committee recommends approval. Vote: Unanimous.

ARTICLE 7

PARCELS OF LAND TO BE SOLD TO THE UNITED STATES DEPARTMENT OF THE INTERIOR FISH AND WILDLIFE SERVICE

QUANTUM OF VOTE: (a) Two-thirds – see Massachusetts General Laws Chapter 40, Section 15A.
(b) Majority – see Massachusetts General Laws Chapter 40, Section 3.
(c) Majority – see Massachusetts Constitution Amendment Article 2, Section 8 (1).

ARTICLE 8: TRANSFER AND CONVEY LAND AT 130 PLAIN ROAD

Proposed by: *Board of Selectmen* *Estimated Cost: $1.00*

To determine whether the Town will vote to (a) instruct the Board of Selectmen, with the approval of Town Counsel as to form, to transfer the care, custody, management, and control of the parcel of land, with the improvements thereon, known and numbered as 130 Plain Road, Wayland, Massachusetts, containing 4.6 acres, more or less, and described in a deed from Sudbury Valley Trustees, Inc. to the Town of Wayland dated August 26, 1999, and recorded with the Middlesex South Registry of Deeds on August 26, 1999, as Instrument No. 597, to the Board of Selectmen for the purpose of conveying said property to the Wayland Housing Authority for low-income family or affordable housing purposes; and (b) authorize the Board of Selectmen, with the approval of Town Counsel as to form, to transfer, convey and sell to the Wayland Housing Authority, for nominal consideration, all or any portion of the above-described property for low-income family or affordable housing purposes, subject to a conservation restriction and a trail easement on the portion of said parcel of land shown as "CONSERVATION RESTRICTION 4.3 Acres±" on a plan entitled "Plan of Land in Wayland, Massachusetts prepared for the Conservation Commission (Smith Parcel)" dated October 21, 1999, prepared by the Town of Wayland Town Surveyor's Office, a copy of which plan is on file in the Office of the Town Clerk.

FINANCE COMMITTEE COMMENTS: At the 1999 Annual Town Meeting, the Town voted unanimously to approve Article 17: Acquire Smith Property 130 Plain Road, for conservation or other municipal purposes. At that time, as stated in the Warrant, the Wayland Housing Authority expressed interest in using the house for affordable housing. The Board of Selectmen voiced their support for the Housing Authority's proposal, with the understanding that there would be conservation restrictions on the remainder of the property.

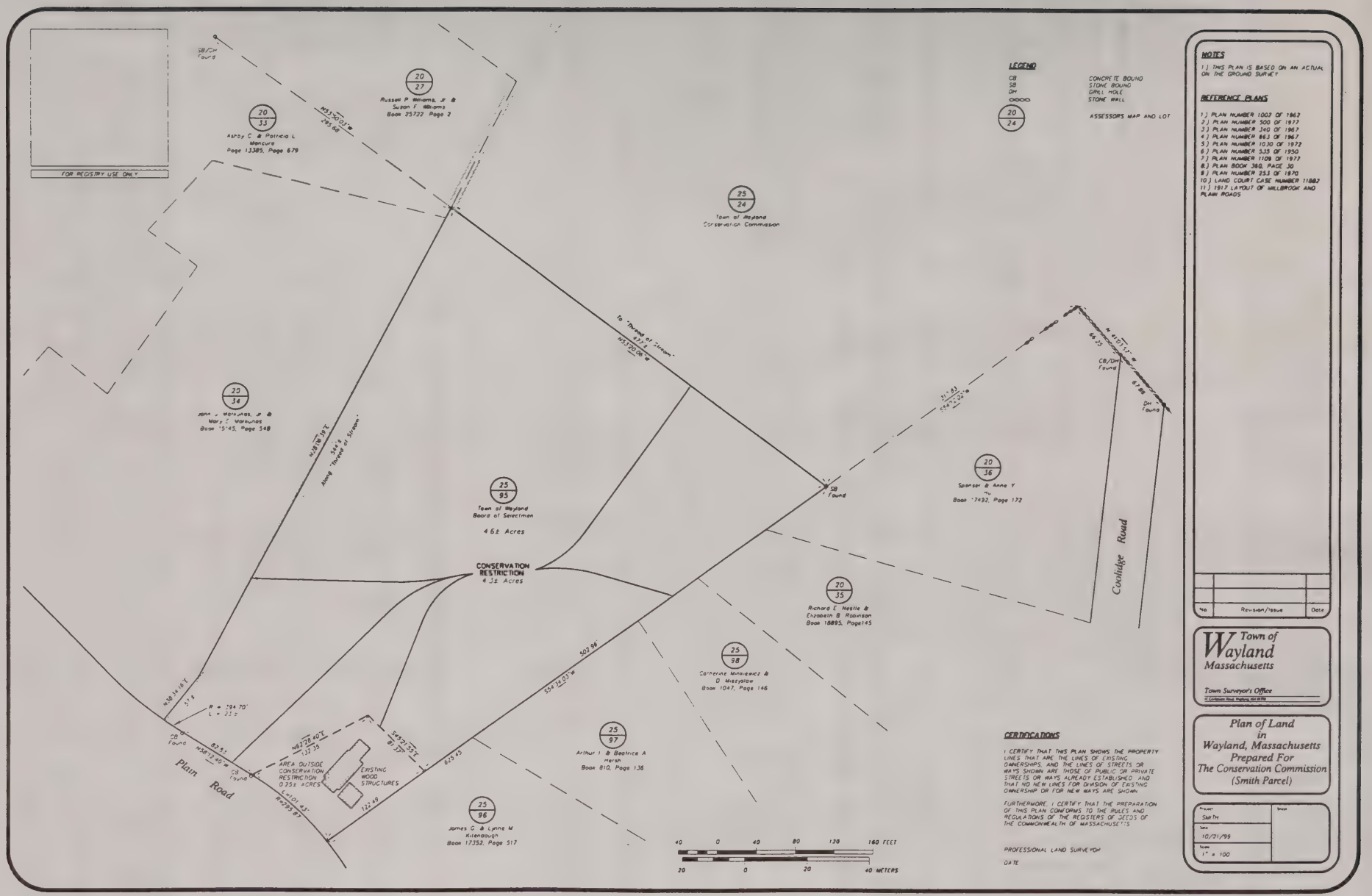
The purpose of this Special Town Meeting article is to ask the Town to approve the transfer of the Smith property to the Wayland Housing Authority for this purpose.

ARGUMENTS IN FAVOR: It is the objective of the Wayland Housing Authority to increase the supply of affordable housing in the Town of Wayland. By transferring the property to the Wayland Housing Authority, the Town will be able to achieve two goals: to preserve open space and to increase the number of affordable housing units.

ARGUMENTS OPPOSED: The Finance Committee is not aware of any.

RECOMMENDATION: The Finance Committee defers recommendation until the Special Town Meeting.

QUANTUM OF VOTE: (a) Two-thirds – see Massachusetts General Laws Chapter 40, Section 15A.
(b) Majority – see Massachusetts General Laws Chapter 40, Section 3.


FOR REGISTRY USE ONLY
SB/CH Found
20/27
Russell P Williams, Jr & Susan F Williams
Book 25727 Page 2
20/33
Andy C & Patricia L Moncure
Page 13385, Page 679
N13°50'01"W 293.68'
20/34
John J Workman, Jr & Mary E Workman
Book 15145, Page 548
N48°38'39"E 544'± Along Thread of Stream
25/24
Town of Wayland Conservation Commission
to "Thread of Stream" 47'± N33°20'36"W
25/95
Town of Wayland Board of Selectmen
46± Acres
CONSERVATION RESTRICTION
46± Acres
SB Found
20/36
Spencer & Anne Y Hu
Book 7492, Page 172
N 41°01'57" E 64.25'
CB/DH Found
61.88'
DH Found
51.81'
S58°24'
Coolidge Road
20/35
Richard E Nestle & Elizabeth B Robinson
Book 18895, Page145
25/98
Catherine Misiewicz & D Misiyalan
Book 1047, Page 146
S07°96'
S24°34'01"W
N48°38'16"E 51'±
R = 294.70'
L = 33'±
CB Found
83.51'
N53°23'40"W
CB Found
Plain Road
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AREA OUTSIDE CONSERVATION RESTRICTION 0.25± ACRES
EXISTING WOOD STRUCTURES
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Curve 43'
R=295.97'
625.65
25/97
Arthur I & Beatrice A Hersh
Book 810, Page 136
25/96
James C & Lynne M Kilenaugh
Book 17352, Page 517
40 0 40 80 120 160 FEET
20 0 20 40 METERS
LEGEND
CB CONCRETE BOUND
SB STONE BOUND
DH DRILL HOLE
STONE WALL
20/24 ASSESSORS MAP AND LOT
CERTIFICATIONS
I CERTIFY THAT THIS PLAN SHOWS THE PROPERTY LINES THAT ARE THE LINES OF EXISTING OWNERSHIPS AND THE LINES OF STREETS OR WAYS SHOWN ARE THOSE OF PUBLIC OR PRIVATE STREETS OR WAYS ALREADY ESTABLISHED AND THAT NO NEW LINES FOR DIVISION OF EXISTING OWNERSHIP OR FOR NEW WAYS ARE SHOWN
FURTHERMORE, I CERTIFY THAT THE PREPARATION OF THIS PLAN CONFORMS TO THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS
PROFESSIONAL LAND SURVEYOR
DATE
NOTES
1.) THIS PLAN IS BASED ON AN ACTUAL ON THE GROUND SURVEY
REFERENCE PLANS
1.) PLAN NUMBER 1002 OF 1962
2.) PLAN NUMBER 500 OF 1977
3.) PLAN NUMBER 340 OF 1967
4.) PLAN NUMBER 863 OF 1967
5.) PLAN NUMBER 1030 OF 1972
6.) PLAN NUMBER 535 OF 1950
7.) PLAN NUMBER 1109 OF 1977
8.) PLAN BOOK 380, PAGE 30
9.) PLAN NUMBER 253 OF 1970
10.) LAND COURT CASE NUMBER 11882
11.) 1917 LAYOUT OF WILLOWDOK AND PLAIN ROADS
No. Revision/Issue Date
Town of Wayland Massachusetts
Town Surveyor's Office
Plan of Land in Wayland, Massachusetts Prepared For The Conservation Commission (Smith Parcel)
Project SMITH
Date 10/21/99
Scale 1" = 100
Sheet

ARTICLE *9*: ADDITIONAL CONSTRUCTION FUNDS

Proposed by: *Wastewater Management District Commission* *Estimated Cost: $50,000.00*

To determine whether the Town will appropriate a sum of money to be expended by the Wayland Wastewater Management District Commission for the construction of wastewater management systems as defined in Section 3 of Chapter 461 of the Acts of 1996 pursuant to agreements between the Wayland Wastewater Management District Commission and property owners, including without limitation all costs thereof as defined in Section 1 of Chapter 29C of the Massachusetts General Laws; and to determine whether said appropriation shall be provided by taxation, by transfer from unappropriated funds in the General Fund, transfer of funds already appropriated for another purpose, by borrowing from the Massachusetts Water Pollution Abatement Trust, by borrowing under Massachusetts General Laws, Chapter 44, by grants received from the Federal Government or the Commonwealth or otherwise.

FINANCE COMMITTEE COMMENTS: Additional monies may be needed to complete construction of the Route 20 WMDC project. The difference between the monies voted at previous Town Meetings ($400,000) and the estimated construction expense ($393,000) leaves a small contingency of $7,000. This will prove inadequate if any construction difficulties are encountered.

ARGUMENTS IN FAVOR: The extra funds will allow construction to be completed even if unforeseen issues arise. These funds can be borrowed from the Commonwealth of Massachusetts, interest-free. Route 20 WMDC users will be obligated to repay all capital and operating costs incurred.

ARGUMENTS OPPOSED: The Finance Committee is not aware of any.

RECOMMENDATION: The Finance Committee recommends approval. Vote: Unanimous.

QUANTUM OF VOTE: Majority – see Massachusetts General Laws Chapter 40, Section 5, and Chapter 44, Section 33B. For borrowing, two-thirds – see Chapter 44, Sections 7 and 8.

ARTICLE *10*: PLAN AND DESIGN MASSASOIT PATH

Proposed by: *Board of Road Commissioners* *Estimated Cost: $12,000.00*

To determine whether the Town will vote to appropriate a sum of money to be expended by the Board of Road Commissioners for the planning and design of Massasoit Path; and to determine whether such appropriation shall be provided by taxation, by transfer from unappropriated funds, by transfer of funds already appropriated for another purpose, by funds received as grants from the Commonwealth or the Federal Government, by borrowing, or otherwise.

FINANCE COMMITTEE COMMENTS: Approval of this article will provide funds for the planning and design of road improvements for Massasoit Path. At the 1999 Annual Town Meeting, Article 18: Accept and Improve Indian Road and Massasoit Path, was amended to exclude Massasoit Path and include only improvements for Indian Road. This exclusion was due to issues regarding turnaround on this dead-end street. The Town and the abutters have come to an agreement on the turnaround issue and are eager to begin the improvement process.

The Board of Road Commissioners anticipates that once the funds are approved for the planning and design of Massasoit Path, they would complete the planning phase of the project by the spring of 2000. They would then request funds to complete the betterment at the Annual Town Meeting in April. The improvements for Massasoit Path would be completed in conjunction with the improvements for Indian Road.

ARGUMENTS IN FAVOR: The Board of Road Commissioners ("BoRC") feels that it is important that the improvements for Massasoit Path be completed in conjunction with the improvements for Indian Road. Since drainage pipes used by Indian Road would also be utilized by Massasoit Path, the design plans for Massasoit Path must be completed before work on Indian Road begins. This would ensure that the pipes used by Indian Road would allow for the appropriate hydraulic capacity.

The BoRC is confident that there would be some construction savings resulting from bundling these two projects together. There could be savings in the mobilization of equipment as well as some material volume/price discounts. While these savings have not been quantified, it is estimated that they would approximate $3,000.

ARGUMENTS OPPOSED: Funds for the actual construction of the betterment should be approved before funds are expended on design and planning. This would be consistent with the majority of betterment processes.

RECOMMENDATION: The Finance Committee recommends approval. Vote: Unanimous.

QUANTUM OF VOTE: Majority – see Massachusetts General Laws Chapter 40, Section 5, and Chapter 44, Section 33B. For borrowing, two-thirds – see Chapter 44, Section 7.

ARTICLE *11*: ACCEPT BRADFORD STREET, LODGE ROAD AND INDIAN ROAD AS TOWN WAYS

Proposed by: *Board of Road Commissioners*

To determine whether the Town will vote to (a) accept Bradford Street, Lodge Road and Indian Road, as laid out by the Board of Road Commissioners, as Town ways; and (b) authorize the Board of Road Commissioners and the Board of Selectmen, with the approval of Town Counsel as to form, to acquire by purchase, gift, eminent domain or otherwise, highway purposes, the fee, or any lesser interests, including easements for drainage, slope, roadway, construction or otherwise in, on, over, under, across and through (i) Lodge Road, as laid out by the Board of Road Commissioners, and the easements, all as shown on a plan entitled "Existing Plan & Profile of Lodge Road Prepared for Proposed Betterment", dated April 4, 1999, prepared by the Town of Wayland Town Surveyor's Office; and (ii) Indian Road, as laid out by the Board of Road Commissioners, and the easements, all as shown on a plan entitled "Plan of Land in Wayland, Mass. Showing Indian Road and Massasoit Path", dated October 21, 1999, prepared by the Town of Wayland Town Surveyor's Office, a copy of which plans are on file in the Office of the Town Clerk.

FINANCE COMMITTEE COMMENTS: Both Indian Road and Lodge Road have been approved by Annual Town Meeting for betterment under the Betterment Act and acceptance of these roads completes this process. Lodge Road was originally scheduled for acceptance at last year's Annual Town Meeting but had not had the required public hearing.

The land for Bradford Street was taken by the Town in the 1930's. The actual road was constructed some time later. The road, however, was never laid out and accepted by the Town. This corrects that situation.

ARGUMENTS IN FAVOR: Both Indian Road and Lodge Road have been approved by Annual Town Meeting under the Betterment Act and this is a step in the process. Since the Town already owns the land on which Bradford Street is situated, it needs to lay out and accept the road to complete the process.

ARGUMENTS OPPOSED: The Finance Committee is not aware of any.

RECOMMENDATION: The Finance Committee recommends approval. Vote: Unanimous.

QUANTUM OF VOTE: (a) Majority – see Massachusetts General Laws Chapter 82, Section 23.
(b) Two-thirds for exercise of eminent domain powers – see Massachusetts General Laws Chapter 40, Section 14.

GUIDE FOR PETITIONERS TO TOWN MEETING

Citizens have the right to submit articles for consideration by town meeting. The following guidelines are intended to help petitioners. If you have any questions, please contact the Selectmen's office at the Town Building, 358-7755.

Step 1. Petitioners must submit articles to the Selectmen's office no later than 4:30PM on December 15 for consideration by the next Annual Town Meeting. Such articles must be in writing and signed by ten or more registered voters of Wayland. It is a good idea to have more than the minimum number of signatures in case some petitioners are not actually registered voters. (Petitions with fewer signatures are automatically disqualified.) There is no required format; however, it is suggested that the petition include the signature, printed name and address of each petitioner. The lead petitioner should identify him/herself to facilitate later communication.

An article to be inserted in the warrant for a special town meeting must be signed by at least 100 registered voters. The petition must be submitted to the Selectmen by the time appointed by the Selectmen.

Once an article is submitted, it may not be amended or withdrawn. All petitioners' articles with the required number of signatures must be included in the town meeting warrant by state statute.

The town does not provide legal services for petitioners' articles.

Step 2. Between December 15 and mid-March, petitioners will be invited to meet with the Finance Committee to discuss the article. In order to prepare its recommendation on the article, the Finance Committee will wish to know the purpose of the article and the estimated cost to be borne by the Town if the article is adopted at town meeting. The Finance Committee may also explore alternative means for accomplishing the article's objective.

Petitioners may submit a report concerning the article, not to exceed 150 words. This report will be printed in the warrant in the event that the Finance Committee prepares its own report.

Step 3. Petitioners should attend the warrant hearing, usually held about one week before town meeting. The purpose of the hearing is to review each article to be sure it is technically and legally correct.

Step 4. At town meeting, one petitioner should be prepared to present a motion under the article and to speak to the merits of the proposal. Other petitioners may also address the town meeting if so inclined, when recognized by the moderator.

A final note: In recent years, there have been duplicate petitions and some petitions that call for an action that is not legal under town by-law or state statute. Such articles are passed over and petitioners whose concerns are not considered by town meeting are disappointed. In addition, it is costly in terms of printing and the time of boards, committees, and staff charged with reviewing and preparing the warrant. In an effort to avoid these expenses, the Board of Selectmen and the Finance Committee request that petitioners speak with members of either board or with the town's executive secretary about the article they wish to submit prior to the deadline. In this way, petitioner groups with similar concerns can be put in touch with one another and basic legal concerns may be clarified.

WARRANT ARTICLE PROCESS
Non-Petitioner Articles

This document is a guide for governmental bodies wishing to include articles in the Warrant for either the Annual Town Meeting (ATM) or Special Town Meeting (STM). There are generally three sources for such articles: standard articles that appear each year (the omnibus budget, for example); articles from petitioners who desire the town to take certain actions; and articles from official elected and appointed boards, commissions, and committees. Preparing for Town Meeting requires a great deal of time from many people. Well reasoned, technically correct, and complete articles help make the most efficient use of limited time and resources.

Form of the Warrant Article

All articles should be submitted on the form provided. They may follow the format used in prior warrants but must be original and not marked-up photocopies. Articles should be as fully developed as possible at the time of submission. The article's sponsor should consult with appropriate people or organizations, obtain validated facts and figures, address legal issues, and draft the wording of articles prior to submission.

ATM Time Line and Process

Date	Action	Responsibility
December 15, 4:30	*Submit all articles for Annual Town Meeting (on computer disk if possible)* Articles are collected and numbered, and copies are given to the Board of Selectmen and Finance Committee. Sponsors should provide comments and arguments in favor of their articles at the time of submission.	Executive Secretary
December 15 - Mid-March	*Review articles, determine their order, vote on which non-petitioner articles to include in the Warrant, vote positions on most articles* The Board discusses substantive articles with sponsors under the board's jurisdiction and often meets with sponsors of other articles.	Board of Selectmen
December 15 - Mid-March	*Review each article and prepare a report for the Warrant* The Committee meets with the sponsors of all substantive artic to discuss the articles' merits, financial implications, and other relevant issues. A member of the Committee is assigned to each article to prepare a report for the warrant, including pro and con arguments and the Committee's recommendation.	Finance Committee
January - Mid-March	*Meet with Finance Committee and/or Board of Selectmen to discuss articles; meet required prerequisites, such as hearings, notification of abutters, reports from other boards* Such discussions help to identify issues that require further work as well as arguments for and against passage.	Sponsor of article (including petitioners)

January - Mid-March	*Review articles for form and legal correctness, add required legal citation(s), indicating the quantum of vote required for passage, prepare final wording of motions*	Town Counsel
February-March	*Hold hearings on articles with zoning bylaw implications* The Planning Board is required to hold hearings on articles proposing zoning changes and to make a report on the floor of Town Meeting.	Planning Board
March 15 (approximately)	*Submit completed warrant to the printer*	Executive Secretary and staff
7 days prior to ATM	*Mail warrant to registered voters*	Executive Secretary and staff
Approximately 7 days prior to ATM	*Hold a warrant article hearing* A hearing is held to review the warrant.	Board of Selectmen with Moderator and Finance Committee
ATM	*Consider each article at ATM.* Normally, the sponsor makes the motion and speaks to the article's merits. Citizens are encouraged to debate the merits of articles, ask questions, and make amendments when appropriate. Amendments should be legibly written for submission to the moderator and should be made available to citizens when possible.	Town Meeting Attendees

Budgets

Following a similar time line, the Finance Committee sets budget guidelines, meets with all departments to review their budgets, and puts together the omnibus budget, including the five-year capital planning budget. The Board of Selectmen reviews the budgets of all departments under its jurisdiction and meets with the Finance Committee for final consideration.

Special Town Meeting

The Board of Selectmen must vote to hold a special town meeting. The Board sets the date for the meeting, usually a minimum of 45 days in advance, and accept articles for the warrant for about five days. The above timeline and process should be followed, except that the warrant must be mailed to registered voters 14 days prior to the STM.

ARTICLE FOR ANNUAL TOWN MEETING

SPONSOR_____ DATE RECEIVED_____

TELEPHONE/Day_____

CONTACT PERSON_____ TELEPHONE/Evening_____

BOARD VOTE_____ DATE OF VOTE_____

TITLE_____

COST_____ NO COST _____ COST ESTIMATE AVAILABLE ON_____

TEXT: To determine whether the town will vote to

COMMENTS

PROS

CONS

SIGNATURE OF CHAIR_____ DATE_____

WARRANT ARTICLE PROCESS
Guide for Petitioners

Citizens have the right to submit articles for consideration by the town meeting. Such articles must be in writing and signed by ten or more registered voters for Annual Town Meeting (ATM) or 100 or more registered voters for Special Town Meeting (STM), using the attached form. All petitioners' articles must be submitted by December 15th for ATM or by the date stated for submission of articles for STM. All petitioners' articles having the required number of qualified signatures must be included in the town meeting warrant by state statute.

Duplicate petitions and petitions that call for an action that is not legal under town bylaw or state statute are usually passed over and petitioners whose concerns are not considered by town meeting are disappointed. Such articles are costly in terms of printing and in the time boards, committees, and staff spend reviewing and preparing the warrant. **The Board of Selectmen and the Finance Committee encourage citizens to work with appropriate town boards to achieve their goals whenever possible before submitting petitioners' articles.**

ATM Time Line and Process

Date	Action	Responsibility
Late November	*Hold a workshop for citizens interested in submitting petition for Annual Town Meeting.* Potential articles and the submission process may be discussed with the Selectmen and experienced volunteers.	Board of Selectmen
December 15, 4:30	*Submit petitioners' articles for Annual Town Meeting (on computer disk if possible)* Articles are collected and numbered, and copies are given to the Board of Selectmen, Finance Committee, Moderator, and Town Counsel. Petitioners are encouraged to provide comme arguments in favor, and arguments against their articles at the time of submission.	Executive Secretary
January - Mid-March	*Review articles, determine their order, vote positions on most articles; may meet with petitioners* The Board may discuss substantive articles with petitioners or attend the Finance Committee's meeting with petitioners.	Board of Selectmen
January - Mid-March	*Study each petitioner's article and prepare a report for the Warrant* The Committee meets with petitioners to discuss their article. They may explore alternative means for accomplishing the article's objective. A member of the Committee is assigned to the article to prepare a report for the warrant, including pro and con arguments and the Committee's recommendation.	Finance Committee

Date	Action	Responsibility
January - Mid-March	*Meet with Finance Committee and/or Board of Selectmen to discuss article; write report of no more than 150 words to be printed in the warrant if desired and if the Finance Committee prepares a report* Such discussions help to identify issues that require further work on the part of the petitioner as well as to identify arguments for and against passage.	Petitioners
Late November	*Hold a workshop for citizens interested in submitting petition for Annual Town Meeting.* Potential articles and the submission process may be discussed with the Selectmen and experienced volunteers.	Board of Selectmen
January - Mid-March	*Review articles for form and legal correctness, add required legal citation(s), indicating the quantum of vote required for Passage*	Town Counsel
March 15 (approximately)	*Submit completed warrant to the printer*	Executive Secretary and staff
7 days prior to ATM	*Mail warrant to registered voters*	Executive Secretary and staff
Approximately 7 days prior to ATM	*Hold a warrant article hearing* Petitioners should attend this hearing to review their warrant articles.	Board of Selectmen with Moderator and Finance Committee
ATM	*Move the article and make a brief presentation on the merits Of the article* Movers of articles have a limited amount of time to explain and present arguments in favor of passage of the article (curre 10 minutes). This presentation is made at the procedural (cent microphone. Petitioners may prepare handouts and slides. If t motion differs substantially from the article printed in the warrant, printed copies should be prepared for the moderator and made available for people attending Town Meeting.	Lead Petitioner
ATM	*Consider each article at ATM* Citizens are encouraged to debate the merits of articles, ask questions, and make amendments when appropriate. Amendments should be legibly written for submission to the moderator and made available to people attending Town Meeting.	Town Meeting attendees

Special Town Meeting

The Board of Selectmen must vote to hold a special town meeting. The Board sets the date for the meeting, usually a minimum of 45 days in advance, and accepts articles for the warrant for one week. The above timeline and process should be followed, except that petitions require 100 signatures and the warrant must be mailed to registered voters 14 days prior to the STM. Special Town Meetings are also called upon receipt of a citizens' petition with 100 signatures.

PETITIONERS ARTICLE FOR WAYLAND TOWN MEETING

LEAD PETITIONER_____ DATE RECEIVED_____

DAY PHONE_____ EVENING PHONE_____

TITLE_____

TOWN BOARD/DEPARTMENT AFFECTED BY ARTICLE_____

ESTIMATED COST_____

ARTICLE: To determine whether the Town will vote to

Add comments and pro and con arguments on the next page. Thank you.

#	Print Name Legibly	Signature	Print Street Address
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			

INSTRUCTIONS

Page 1

Lead Petitioner: The lead petitioner will serve as spokesperson for the article and will be the contact for the Finance Committee and the Board of Selectmen, and by the Planning Board if the petition is a zoning issue.

Date Received: The date received will be stamped on the petition when it is received by the Executive Secretary.

Phone Numbers: Please provide a day and evening phone number where the lead petitioner may be contacted.

Title: Please provide a brief title that describes the purpose of this article.

Town Board/Department Affected: Please list the town board(s) or department(s), if any, that will be affected if this article passes.

Estimated Cost: Please provide an estimate of the cost if passage of this article will have a financial impact on the town.

Article: Please describe fully and unambiguously what you wish the town meeting to vote on.

Page 2

Please provide comments, arguments in favor, and arguments that might be used to oppose your article suitable for printing in the warrant. (These may not be printed exactly as submitted.)

PETITIONERS ARTICLE FOR WAYLAND TOWN MEETING
Page 2

COMMENTS

PRO ARGUMENTS

CON ARGUMENTS

THE MODERATOR'S RULES AND REGULATIONS GOVERNING WAYLAND'S TOWN MEETINGS

The following information may help you to participate fully in Wayland's town meetings, which have been held each year since 1639:

I. The Warrant

This booklet, which includes the Warrant for Wayland's Town Meeting, was compiled by the Selectmen and served upon all residents by mail and by posting at the Town Building and the libraries. It contains the agenda of the subjects to be acted upon (articles), including the omnibus budget proposed, if this is an annual meeting, the report and recommendations of the Finance Committee upon each article and additional information concerning the finances and administration of the Town to help us formulate our votes.

No action of this Town Meeting will be valid unless it shall have been taken under an article set forth in the Warrant.

Each article will be considered in the order in which it appears on the Warrant, unless the meeting shall have voted to do otherwise by a two-thirds vote.

II. The Voters

A. All residents of Wayland, who have been duly registered as voters, are urged to attend, participate and vote at all annual and special town meetings subject to laws of the Commonwealth of Massachusetts, the By-Laws of the Town and these rules and regulations.

B. All other persons may attend and observe Wayland's town meetings so long as they remain seated in the special section that has been reserved for this purpose, unless the Moderator shall have authorized them to sit among the registered voters. And see paragraph IV.B.3 below.

C. A registered voter may bring his or her child(ren) to sit among the voters so long as the child(ren) sit(s) quietly beside his or her parent at all times.

III. The Moderator

The Moderator is elected by ballot for a three year term at the annual election of town officers to preside at all Town meetings during his or her term of office and is authorized by state law to regulate the proceedings, decide all questions of order and make public declaration of all votes, subject to the By-laws that Wayland has enacted to regulate the proceedings of town meetings. All rulings of the Moderator are final.

IV. The Meeting

A. The Call to Order

1. The Moderator will call each session of town meeting to order at 7:45 p.m., or as soon as the Town Clerk has determined that a quorum of one hundred registered voters has been checked into the hall.

2. All persons, who have not registered to vote in Wayland, including members of the press, must sit in the section reserved for non-residents, unless the Moderator has authorized them to sit among the voters.

3. The Moderator will announce the number of each article about to be considered and invite a motion thereunder; but he will omit the reading of the articles, unless a MAJORITY of the meeting shall vote otherwise.

B. To Address the Town Meeting

1. No person may address a town meeting until and unless he or she shall have been recognized by the Moderator and all persons shall, at the request of the Moderator, be silent.

2. All persons, who wish to be recognized, shall approach one of the three microphones placed at the front of the room, which most closely reflects the purpose for which they seek recognition:

a. The Procedural Microphone (in the middle) will be available to those who have been recognized by the Moderator and wish to offer:

1) The main motion under the article being considered and a presentation in support thereof;

2) An amendment to a main motion;

3) A question seeking information or guidance from the Moderator as to procedure, including a point of order; and

4) A point of order or procedural motion, such as:

a) a motion to terminate debate;

b) a motion challenging the Moderator's declaration of a vote;

c) a motion questioning the presence of a quorum; and

d) a motion to adjourn.

b. The "Pro" Microphone will be available to those who wish to speak in support of a motion on the floor and have been recognized by the Moderator.

c. The "Con" Microphone will be available to those who wish to speak in opposition to a motion on the floor and have been recognized by the Moderator.

The Moderator will normally recognize those persons, who are standing behind each microphone in a single file, in the order of their entry into that file, alternating between the Pro and the Con mikes; but reserves the right to recognize any person at any time, including a person who has not approached a mike, a person who is handicapped or a person who has risen to a point of order. Any person whose remarks are not consistent with the purpose of the microphone that he has been permitted to use, shall yield the floor upon request of the Moderator.

3. If a person, who has not registered to vote, seeks permission to address the meeting, the Moderator will ask whether there are any objections. If there are any, he will immediately call for a voice vote. If the majority shall vote to hear the non-resident, the Moderator will give him/her the floor.

C. The Debate

1. When you have been recognized by the Moderator, address the Chair as follows: "Mr. Moderator, I am (Name) of (Street Address)." Then proceed as follows:

a. "I move that . . .";

b. "May I ask you . . ."; or
"May I ask through you (then state the question which you want a board, official, or previous speaker to answer);

c. "I rise to a point of order"; or

d. Offer any amendment, argument, comment, question or suggestion relevant to the motion then under consideration.

2. Once you have been recognized, you may offer any motion, amendment, argument, comment, point or question relevant to the article then under consideration, unless the Moderator shall have authorized debate or invited comments upon subjects not listed in the Warrant; but

a. Any person who wishes to offer a presentation in support of the first main motion under an article, must complete the same within ten minutes, or less, and yield the floor. A light will warn you to conclude your remarks and yield the floor during the following minute.

b. All other persons who wish to address the Town Meeting shall, when recognized, complete their remarks in three minutes, or less, and yield the floor. The same one minute warning light will be turned on when you have used up the first two minutes.

c. You may be interrupted only by a question of privilege, a point of order, a request that you speak more distinctly or by the Moderator.

d. When you have completed your motion, question, or remarks, you relinquish your claim to the floor; and you must yield the floor upon request of the Moderator.

3. If you have a question concerning the legality or propriety of the proceedings, you may approach the Procedural Microphone and address the Moderator without waiting to be recognized, saying: "Mr. Moderator, I rise to a point of order." When you have been recognized, you must state the reason for your point, which may include that a motion is beyond the scope of the article under consideration, that the person who has the floor is not addressing the merits of the motion or that a quorum is not present. The Moderator will then rule on the point and his ruling is final.

4. If you wish to offer a motion within the scope of the article under consideration, follow the procedure outlined under paragraph II. B and C above.

a. If your motion is the main motion, you must then declare that it is identical word-for-word with the substantive portion of the article printed in the warrant which is then under consideration, or describe all of the substantive differences in wording between the article and the motion; otherwise the Moderator will permit no debate or action upon your motion.

b. If you plan to offer a main motion, which contains more than twenty-five words and differs significantly from the article printed in the Warrant, you must first print and distribute a copy thereof to those attending the session of town meeting at which said motion is presented.

c. No motion or amendment of a motion that exceeds ten words in length will be accepted, unless it shall have been offered to the Moderator in writing.

d. A motion that is not identical word-for-word with the substantive portion of the article printed in the warrant then under consideration will not be permitted, unless the Moderator shall determine that said motion is within the scope of the article; i.e., that it does not change the substantial character of the proposal described in that article.

e. The Moderator will permit no motion to appropriate and/or expend a sum of money, which exceed the estimated cost set forth in the article then under consideration by fifteen (15%) percent, except for motions under the omnibus budget article and motions under a supplementary budget article that contemplates the appropriation of additional money for the current fiscal year to augment moneys previously appropriated and proposes to fund such appropriations by transfer from unappropriated funds, funds appropriated for another purpose or from funds received by the Town as grants or gifts.

f. The Moderator may rule on your motion, even if no one has risen to challenge that motion by way of a point of order.

5. You will not be recognized to speak on the merits of a motion if you have already spoken three times on its merits, but you may be recognized to answer a question put by another or to raise a procedural issue with respect to that motion.

6. Wayland's practice with respect to some common subsidiary motions is generally as follows:

a. You may amend a motion by moving to add and/or delete words to and/or from the main motion or by substituting a new motion therefor; but the Moderator permits no more than two amendments to a main motion. A motion to amend is debatable and requires only a MAJORITY vote, even though the main motion may require a TWO-THIRDS vote.

b. You may move to refer a matter for further study, if your motion identifies the official or committee who shall conduct such study,

how it shall report, when and to whom. In the event that you wish to establish a new committee for this purpose, the motion must specify the number of members who shall serve and who shall appoint them. A motion to refer is debatable and may be amended and requires a MAJORITY vote.

c. You may move to advance or postpone consideration of an article listed in the Warrant. Such a motion is debatable, may be amended and requires a TWO-THIRDS vote.

d. You may move to lay an article on the table ("table"). Such a motion is NOT debatable or amendable and requires a TWO-THIRDS vote. A motion to remove such article from the table is also NOT debatable or amendable and requires a TWO-THIRDS vote.

e. You may ask the Meeting to take no action under an article by moving "that the article be passed over." Such a motion is debatable, may not be amended, requires a MAJORITY vote and serves to dispose of the article under consideration.

f. Although the Moderator has absolute authority to regulate the proceedings at town meetings, debate under a motion can be terminated only by a TWO-THIRDS vote of the Town Meeting. Therefore, if you believe that the discussion has gone on long enough, approach the Procedural Microphone, and, when you have been recognized, "move the previous question". If your motion receives a second, the Moderator will ask if anyone, who has not spoken to the motion under consideration, wishes to be recognized. If no one expresses such a wish by raising his or her hand, the Moderator will immediately terminate debate and take a vote upon your motion without permitting any amendment; but if one or more persons, who have not spoken to said motion, raise their hand, the Moderator may defer the termination of debate for a reasonable time to permit both sides of the issue to be heard. If a motion to terminate debate carries by a TWO-THIRDS vote, the Moderator will put the previous motion under consideration to a vote without further debate; but if said motion does not carry by a TWO-THIRDS vote, the Moderator will permit debate to continue.

g. If you wish to adjourn a session of the Town Meeting before all of the articles have been disposed of, you must specify the date and time when the Meeting shall resume. Such motion may be made at any time, is debatable, may be amended and requires a MAJORITY vote.

7. If an article of the Warrant has been acted upon and disposed of, it can not be reconsidered that day; but if a motion to return to the article shall have been made, debate and action on that motion shall be the first order of business at the next session of said Town Meeting, unless there is no further session, in which case, debate and action on said motion shall be deferred until all other articles shall have been disposed of. In any event, a motion to reconsider is debatable, may not be amended and requires a TWO-THIRDS vote, unless it shall have been made before the article has been disposed of;

in which event it requires only a MAJORITY vote. If such motion carries, the Moderator will ask whether there is a new motion under the article to be reconsidered.

D. The Vote

Before calling for a vote, the Moderator will repeat the motion under consideration (as the same may have been amended):

1. The Moderator will then ask all those in favor to say, "Aye". He will then invite those opposed to say, "No". If the Moderator is in doubt as to whether the motion has carried, he may call for another voice vote; or he may ask those in favor to stand, before he asks those opposed to stand. Sometimes, the Moderator will reverse this procedure before declaring the vote.

2. If the Moderator is still in doubt, or if seven or more voters have immediately questioned his declaration of such vote, he will call for the tellers to help him take a standing counted vote--two tellers for each section of the hall so that they may check each other's results. The Moderator will then repeat the motion and say, "All those in favor will rise and remain standing until counted," and similarly with those opposed. As soon as each team of tellers has agreed upon the count in their section, they will be asked to report their portion of the vote from the Procedural Microphone. When all of the tellers have reported, the Moderator declares the vote, and his declaration is final.

3. In the event that the law requires a vote of TWO-THIRDS or more to carry a motion, the Moderator will normally ask whether there is unanimous support for the motion; but if there is not such support, he will take a standing counted vote.

4. If a TWO-THIRDS vote is required to carry a subsidiary or procedural motion, such as a motion to terminate debate ("move the previous question"), the Moderator need not take a count, even though the voice vote upon such motion was not unanimous, if the Moderator shall have perceived that more than TWO-THIRDS of the voters voted in the affirmative. The Moderator shall then declare that such motion has carried and the Clerk shall record such declaration together with a note that there was "a scattering of nos."

E. Adjournment

1. Each session of a Town Meeting shall be adjourned by the Moderator (a) at 10:30 p.m., or as soon thereafter as the Meeting has disposed of the article then under consideration or postponed action thereunder, or (b) voted to adjourn at a different time.

2. No motion to dissolve the Town Meeting (to adjourn *sine die*) is in order until every article shall have been duly considered, acted upon and declared as disposed of.

V. Questions

In the event that you have a question concerning the conduct of the meeting or the status of any motion being considered, you are invited to approach the Procedural Microphone and to address your question to the Moderator as soon as you have been recognized.

Thank you for joining us tonight to do the Town's business.

C. Peter R. Gossels, Moderator
October 26, 1998

AFSCME Union

FY'99 + 2%

	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	STEP 7	STEP 8	STEP 9	STEP 10	STEP 11	STEP 12
G10	50,945	52,193	53,472	54,782	56,124	57,499	58,908	60,351	61,830	63,345	64,896	66,486
G9	46,738	47,883	49,056	50,258	51,489	52,751	54,043	55,367	56,724	58,114	59,537	60,996
G8	42,879	43,930	45,006	46,108	47,238	48,395	49,581	50,796	52,040	53,315	54,622	55,960
G7	39,337	40,301	41,288	42,300	43,336	44,398	45,486	46,600	47,742	48,911	50,110	51,337
G6	35,985	36,867	37,770	38,695	39,643	40,615	41,610	42,629	43,673	44,743	45,840	46,963
G5	33,318	34,134	34,971	35,827	36,705	37,604	38,526	39,470	40,437	41,427	42,442	43,482
G4	30,851	31,607	32,381	33,175	33,987	34,820	35,673	36,547	37,443	38,360	39,300	40,263
G3	28,566	29,266	29,983	30,717	31,470	32,241	33,031	33,840	34,669	35,519	36,389	37,280
G2	26,449	27,097	27,761	28,441	29,138	29,852	30,583	31,332	32,100	32,886	33,692	34,518
G1	24,491	25,091	25,706	26,336	26,981	27,642	28,319	29,013	29,724	30,452	31,198	31,962

FY'00 + 3%

	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	STEP 7	STEP 8	STEP 9	STEP 10	STEP 11	STEP 12
G10	52,473	53,759	55,076	56,425	57,808	59,224	60,675	62,162	63,685	65,245	66,843	68,481
G9	48,140	49,320	50,528	51,766	53,034	54,333	55,665	57,028	58,426	59,857	61,324	62,826
G8	44,165	45,247	46,356	47,492	48,655	49,847	51,069	52,320	53,602	54,915	56,260	57,639
G7	40,517	41,510	42,527	43,569	44,636	45,730	46,850	47,998	49,174	50,379	51,613	52,877
G6	37,065	37,973	38,903	39,856	40,833	41,833	42,858	43,908	44,984	46,086	47,215	48,372
G5	34,318	35,158	36,020	36,902	37,806	38,733	39,681	40,654	41,650	42,670	43,716	44,787
G4	31,777	32,555	33,353	34,170	35,007	35,865	36,743	37,644	38,566	39,511	40,479	41,470
G3	29,423	30,144	30,882	31,639	32,414	33,208	34,022	34,855	35,709	36,584	37,481	38,399
G2	27,242	27,910	28,594	29,294	30,012	30,747	31,501	32,272	33,063	33,873	34,703	35,553
G1	25,226	25,844	26,477	27,126	27,790	28,471	29,169	29,883	30,615	31,365	32,134	32,921

AFSCME Union

	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	FY'01 + 5% STEP 6	STEP 7	STEP 8	STEP 9	STEP 10	STEP 11	STEP 12
G10	55,097	56,447	57,830	59,247	60,698	62,185	63,709	65,270	66,869	68,507	70,186	71,905
G9	50,547	51,786	53,054	54,354	55,686	57,050	58,448	59,880	61,347	62,850	64,390	65,967
G8	46,374	47,510	48,674	49,866	51,088	52,340	53,622	54,936	56,282	57,661	59,073	60,521
G7	42,543	43,585	44,653	45,747	46,868	48,016	49,193	50,398	51,633	52,898	54,194	55,521
G6	38,918	39,871	40,848	41,849	42,874	43,925	45,001	46,103	47,233	48,390	49,576	50,790
G5	36,033	36,916	37,821	38,747	39,697	40,669	41,666	42,686	43,732	44,804	45,901	47,026
G4	33,365	34,183	35,020	35,878	36,757	37,658	38,580	39,526	40,494	41,486	42,503	43,544
G3	30,894	31,651	32,426	33,221	34,035	34,869	35,723	36,598	37,495	38,413	39,355	40,319
G2	28,605	29,305	30,023	30,759	31,513	32,285	33,076	33,886	34,716	35,567	36,438	37,331
G1	26,487	27,136	27,801	28,482	29,180	29,895	30,627	31,377	32,146	32,934	33,741	34,567

G10 - Director of Highway Operations
G 9 - Treasurer/Collector
G 9 - Director of Health
G 8 - Building Commissioner
G 8 - Town Surveyor
G 8 - Town Planner
G 8 - Director of Youth Services
G 8 - Data Processing Manager
G 7 - Conservation Administrator

G 7 - Assistant Assessor
G 7 - Council on Aging Director
G 7 - GIS Analyst
G 6 - Wastewater Facility Superintendent
G 6 - Solid Waste Facility Superintendent
G 5 - Assistant Youth Director
G 5 - Sanitarian/Health Agent
G 3 - Administrative Assessor
G 2 - Animal Control Officer

NAGE Union

CLERICAL

FY'99 - 2% adjustment

	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	STEP 7	STEP 8	STEP 9	STEP 10
C-10	$21,191	$21,826	$22,481	$23,155	$23,850	$24,566	$25,303	$26,062	$26,843	$27,649
C-12	$22,886	$23,572	$24,279	$25,008	$25,758	$26,531	$27,327	$28,147	$28,991	$29,861
C-13	$23,809	$24,523	$25,259	$26,017	$26,797	$27,601	$28,429	$29,282	$30,160	$31,065
C-14	$24,768	$25,511	$26,276	$27,064	$27,876	$28,712	$29,574	$30,461	$31,375	$32,316
C-15	$25,723	$26,495	$27,290	$28,109	$28,952	$29,820	$30,715	$31,637	$32,586	$33,563

FY'00 - 3% adjustment

	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	STEP 7	STEP 8	STEP 9	STEP 10
C-10	$21,826	$22,481	$23,155	$23,850	$24,566	$25,303	$26,062	$26,843	$27,649	$28,478
C-12	$23,572	$24,279	$25,008	$25,758	$26,531	$27,327	$28,147	$28,991	$29,861	$30,757
C-13	$24,523	$25,259	$26,017	$26,797	$27,601	$28,429	$29,282	$30,160	$31,065	$31,997
C-14	$25,511	$26,276	$27,064	$27,876	$28,712	$29,574	$30,461	$31,375	$32,316	$33,286
C-15	$26,495	$27,290	$28,109	$28,952	$29,820	$30,715	$31,637	$32,586	$33,563	$34,570

FY'01 - 5% adjustment

	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	STEP 7	STEP 8	STEP 9	STEP 10
C-10	$22,918	$23,605	$24,313	$25,043	$25,794	$26,568	$27,365	$28,186	$29,031	$29,902
C-12	$24,751	$25,493	$26,258	$27,046	$27,857	$28,693	$29,554	$30,441	$31,354	$32,294
C-13	$25,749	$26,522	$27,317	$28,137	$28,981	$29,850	$30,746	$31,668	$32,618	$33,597
C-14	$26,786	$27,590	$28,417	$29,270	$30,148	$31,053	$31,984	$32,944	$33,932	$34,950
C-15	$27,820	$28,654	$29,514	$30,399	$31,311	$32,251	$33,218	$34,215	$35,241	$36,299

DISPATCH

	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	STEP 7
FY'99 - 2%	23,690	24,638	25,623	26,649	27,713	28,822	30,263
FY'00 - 3%	24,401	25,377	26,392	27,448	28,544	29,687	31,171
FY'01 - 5%	25,621	26,646	27,711	28,821	29,972	31,171	32,729

Wayland Town Pool
Non-union

Position	1st year	2nd year	3rd year	4th year
Head Lifeguard	$13.00	$13.40	$13.80	$14.20
Secretary	$8.95	$9.25	$9.55	$9.85

	0-360 hrs.	361 - 720 hrs.	721-1080 hrs.	1081 + hrs.
Senior Lifeguard	$9.00	$9.30	$9.60	$9.90
Junior Lifeguard	$8.00	$8.25		
Front Desk Clerk	$7.25	$7.50	$7.75	$8.00

****

You are required to serve this Warrant by posting copies thereof, attested by you, at the Town Building, at the Public Library in Wayland Center, at the Cochituate Fire Station or the Cochituate Post Office, and at the Happy Hollow School, and by mailing or delivering a copy thereof addressed to each residence in the Town fourteen days, at least, before the time appointed for the Special Meeting.

Hereof, fail not and deliver this Warrant with your return thereon to the Town Clerk on or before November 2, 1999.

Given under our hands and seals this 1st day of November, 1999.

Patricia E. Abramson, Vice Chair
Mary M. Antes, Chair
Brian T. O'Herlihy
Susan W. Pope
Susan Weinstein

Selectmen of the
Town of Wayland

Alfred H. Bellows
Jeff R. Dieffenbach
Robert L. Lentz
Robert H. Loring
G. Christopher Riley, Vice Chair
Lisa C. Schimmel, Chair
Katherine H. Tyrrell

Finance Committee

NOTES

If you have any questions about the Y2K subject, you may contact any of the following people:

Organization	Name	Contact Information
Wayland Y2K Committee	Peter Kelman Elise Boulding	508-358-2815 508-647-9389
Massachusetts Bankers Association	Robert Fichter	www.massbankers.org 617-523-7595
Bell Atlantic	Linda Mahoney	www.bellatlantic.com/year2000/ 800-870-9999
Boston Edison	Jim Ashkar	www.bostonedison.com james_ashkar@bedison.com 617-424-2721
Boston Gas	Jack Bergen	www.bostongas.com jbergen@bostongas.com 617-723-5512 x 4316
Bread & Circus	Rick Bonin	508-358-7700
Massachusetts Emergency Management Ass'n (MEMA)	Peter Judge	508-820-2002
Parmenter VNA	Sue Forsen	508-358-3000
Y2K Connections	Jan Nickerson	508-358-7146
Wayland Police	Gerry Galvin	508-358-3684

NOTES

VOLUNTEER TO SERVE YOUR TOWN

Vacancies on Town boards, committees and commissions occur from time to time. Most positions are appointed by the Board of Selectmen (see I).

Elected positions are usually filled at the annual April election, but if openings occur mid-term, they are filled by appointment until the next annual election. Registered voters, please indicate your interest in order of preference (see II):

I. Appointed boards, committees and commissions:

_____Cable TV
_____Conservation
_____Council on Aging
_____Cultural Council
_____Dog By-Law Study Committee
_____Fair Housing
_____Finance
_____Growth Policy
_____Highway/Parks Building Study Comm.
_____Historical
_____Historic District
_____Housing Partnership
_____Middle School Building
_____Personnel
_____Public Ceremonies
_____Route 20 Study
_____Route 30 Development
_____Senior Tax Relief
_____Septage Committee
_____Surface Water Quality
_____Town Center Committee
_____Wastewater Management
_____Wireless Communications
_____Youth Advisory
_____Zoning Board of Appeals

II. Elected boards, committees and commissions:

_____Assessors
_____Health
_____Housing Authority
_____Park and Recreation
_____Planning
_____Library Trustees
_____Road Commission
_____School
_____Selectmen
_____Trust Funds
_____Water

NAME:_____ADDRESS:_____

HOME TEL._____WORK TEL._____

Applications of interest will be kept on file for one year. You will be contacted as relevant vacancies occur.

Return this completed form to:

Executive Secretary
Town of Wayland
41 Cochituate Road
Wayland, MA 01778

FOLD HERE

PLACE STAMP HERE

BOARD OF SELECTMEN
Town of Wayland
41 Cochituate Road
Wayland, Massachusetts 01778

TOWN OF WAYLAND
Board of Selectmen
41 Cochituate Road
Wayland, MA 01778-2697

Bulk Rate
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Wayland, MA

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WAYLAND, MA 01778